

# EXHIBIT B

**From:** [Alex Frawley](#)  
**To:** [Briant, Jared B.](#); [#NewYorkTimes-Microsoft-FDBR](#); [NewYorkTimes\\_Microsoft\\_OHS@orrick.com](#)  
**Cc:** [Charlotte Lepic](#); [Holden Benon](#); [KVP-OAI](#); [OpenAICopyright](#); [Latham OpenAI Copyright Team \(openaicopyrightlitigation.lwteam@lw.com\)](#)  
**Subject:** RE: News 30(b)(6) Notice to Microsoft  
**Date:** Tuesday, July 22, 2025 5:57:39 PM

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Hi Jared,

Following up on this. If Microsoft will not agree to present a witness on these topics on the timeline we request below, we intend to seek relief from the Court. Please let us know by tomorrow if Microsoft will agree.

Best,

Alex

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**From:** Alex Frawley  
**Sent:** Saturday, July 19, 2025 9:32 AM  
**To:** Briant, Jared B. <[jared.briant@faegredrinker.com](mailto:jared.briant@faegredrinker.com)>; [#NewYorkTimes-Microsoft-FDBR](#) <[NewYorkTimes-Microsoft-FDBR@faegredrinker.com](mailto:NewYorkTimes-Microsoft-FDBR@faegredrinker.com)>; [NewYorkTimes\\_Microsoft\\_OHS@orrick.com](#)  
**Cc:** Charlotte Lepic <[newsplaintiffs-service@simplelists.susmangodfrey.com](mailto:newsplaintiffs-service@simplelists.susmangodfrey.com)>; Holden Benon <[oai-ndca-sdny@simplelists.susmangodfrey.com](mailto:oai-ndca-sdny@simplelists.susmangodfrey.com)>; KVP-OAI <[kvpoai@keker.com](mailto:kvpoai@keker.com)>; OpenAICopyright <[openaicopyright@mofo.com](mailto:openaicopyright@mofo.com)>; Latham OpenAI Copyright Team ([openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com)) <[openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com)>  
**Subject:** RE: News 30(b)(6) Notice to Microsoft

Jared,

We disagree about the timing for this deposition. The Court ordered that we can take a 30(b)(6) deposition on the dashboards and metrics issues addressed by our motion to compel. See Dkt. 270 at 2 (addressing Dkt. 157). We promptly served a limited notice for those topics to quickly move forward with this deposition. The purpose of the deposition is to facilitate the parties' ongoing efforts to reach agreement about the data and metrics that Microsoft will be producing, which is why it should happen very soon.

The deposition on these five limited topics in our July 8 Notice should occur within the next 2-4 weeks. If we cannot reach agreement on that timeframe, we will move to compel that relief. Can we schedule a call on Monday to discuss?

Best,

Alex

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**From:** Briant, Jared B. <[jared.briant@faegredrinker.com](mailto:jared.briant@faegredrinker.com)>  
**Sent:** Friday, July 18, 2025 6:10 PM  
**To:** Alex Frawley <[AFrawley@susmangodfrey.com](mailto:AFrawley@susmangodfrey.com)>; [#NewYorkTimes-Microsoft-FDBR](#) <[NewYorkTimes-Microsoft-FDBR@faegredrinker.com](mailto:NewYorkTimes-Microsoft-FDBR@faegredrinker.com)>; [NewYorkTimes\\_Microsoft\\_OHS@orrick.com](#)  
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**Subject:** RE: News 30(b)(6) Notice to Microsoft

**EXTERNAL Email**

Alex –

Thanks for following up. We understand that News Plaintiffs will be providing updates to the 30(b)(6) notices to Microsoft by July 31. While we will need to confer regarding the five topics contained in the July 8 notice, we will need to receive the updates to the News Plaintiffs' notice to Microsoft before we can designate a witness and discuss scheduling, as any witness(es) designated in response to these topics will also be designated in response to any other 30(b)(6) topics.

**Jared B. Briant**

Partner

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**From:** Alex Frawley <[AFrawley@susmangodfrey.com](mailto:AFrawley@susmangodfrey.com)>

**Sent:** Tuesday, July 15, 2025 1:37 PM

**To:** Alex Frawley <[AFrawley@susmangodfrey.com](mailto:AFrawley@susmangodfrey.com)>; #NewYorkTimes-Microsoft-FDBR <[NewYorkTimes-Microsoft-FDBR@faegredrinker.com](mailto:NewYorkTimes-Microsoft-FDBR@faegredrinker.com)>; [NewYorkTimes\\_Microsoft\\_OHS@orrick.com](mailto:NewYorkTimes_Microsoft_OHS@orrick.com)

**Cc:** Charlotte Lepic <[newsplaintiffs-service@simplelists.susmangodfrey.com](mailto:newsplaintiffs-service@simplelists.susmangodfrey.com)>; Holden Benon <[oai-ndca-sdny@simplelists.susmangodfrey.com](mailto:oai-ndca-sdny@simplelists.susmangodfrey.com)>; KVP-OAI <[kvpoai@keker.com](mailto:kvpoai@keker.com)>; OpenAICopyright <[openaicopyright@mofo.com](mailto:openaicopyright@mofo.com)>; Latham OpenAI Copyright Team (<[openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com)> <[openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com)>)

**Subject:** RE: News 30(b)(6) Notice to Microsoft

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Counsel for Microsoft:

Following up on this. Please provide dates for this deposition.

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**From:** Alex Frawley <[AFrawley@susmangodfrey.com](mailto:AFrawley@susmangodfrey.com)>

**Sent:** Tuesday, July 8, 2025 6:45 PM

**To:** #NewYorkTimes-Microsoft-FDBR <[newyorktimes-microsoft-fdbr@faegredrinker.com](mailto:newyorktimes-microsoft-fdbr@faegredrinker.com)>;  
[NewYorkTimes\\_Microsoft\\_OHS@orrick.com](mailto:NewYorkTimes_Microsoft_OHS@orrick.com)  
**Cc:** Charlotte Lopic <[newsplaintiffs-service@simplelists.susmangodfrey.com](mailto:newsplaintiffs-service@simplelists.susmangodfrey.com)>; Holden Benon <[oai-ndca-sdny@simplelists.susmangodfrey.com](mailto:oai-ndca-sdny@simplelists.susmangodfrey.com)>; KVP-OAI <[kvpoai@keker.com](mailto:kvpoai@keker.com)>; OpenAICopyright <[openaicopyright@mofo.com](mailto:openaicopyright@mofo.com)>; Latham OpenAI Copyright Team ([openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com)) <[openaicopyrightlitigation.lwteam@lw.com](mailto:openaicopyrightlitigation.lwteam@lw.com)>  
**Subject:** News 30(b)(6) Notice to Microsoft

**EXTERNAL Email**

Counsel for Microsoft:

On behalf of News Plaintiffs, attached please find a Rule 30(b)(6) deposition notice, which we are serving pursuant to the Court's June 25, 2025 Order on the parties' dispute about dashboards (Dkt. 270).

Best,  
Alex

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